



Doc Code: P.PRE.REG

PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

LEAR 04056 PUS

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on June 27, 2006

Signature

Typed or printed name

Jeffrey M. Szuma

Application Number

10/716,121

Filed

11-18-2003

First Named Inventor

Tom Tang

Art Unit

2612

Examiner

D. C. Pope

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

☒

attorney or agent of record.

Registration number 35,700☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 _____

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June 27, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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*Total of _____ forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit: 2612

Tang et al.

Examiner: Pope, Daryl C.

Serial No.: 10/716,121

Filed: November 18, 2003

For: Universal Tire Pressure Monitor

Attorney Docket No.: LEAR 04056 PUS

**ARGUMENT IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Mail Stop AF
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Pre-Appeal Brief Conference Pilot Program, the Applicants respectfully request review of the final rejection in the above-identified application for the reasons set forth below.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL)

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Remarks

In the Office Action mailed March 29, 2006, the Examiner finally rejected claims 1-20 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 6,087,930 (“the ‘930 patent”). The Applicants respectfully request review of that final rejection on the grounds that the ‘930 patent fails to anticipate claims 1-20 of the present application.

The Applicants’ claimed invention is directed to a universal tire monitor. As set forth in independent claim 1, the monitor comprises a sensor for sensing tire pressure and a transmitter for transmitting a wireless signal including data representing the sensed tire pressure. The monitor also comprises a storage device for storing a plurality of codes, each code comprising at least a data format. The wireless tire pressure signal is transmitted according to at least one of the stored plurality of codes.

As set forth in independent claim 11, the monitor comprises a sensor for sensing tire pressure and a transmitter for transmitting a wireless signal including data representing the sensed tire pressure. The monitor also comprises a receiver for receiving a program signal, the program signal comprising one of a plurality of codes, each code comprising at least a data format. The wireless tire pressure signal is transmitted according to the one of the plurality of codes received by the receiver.

In that regard, as described in the specification of the present application in connection with Figure 2, the universal tire monitor may include a pressure sensor, a controller, a transmitter and a receiver. The controller may store a plurality of manufacturers’ codes. In existing TPM systems, manufacturers’ codes may be used to identify a signal format including any number of characteristics, such as carrier frequency, modulation scheme, data format and/or encryption technique, for wireless signals. Prior to or upon installation of the monitor in a vehicle tire, a program signal is sent to the receiver, such as by a technician, either via a remote transmitter or an external interface. In this embodiment, the program signal includes a command for use by the controller to select one of the plurality of stored manufacturers’ codes. Subsequently, during operation of the TPM system, the controller

controls the transmitter to transmit wireless signals according to the signal format indicated by the selected manufacturers' code. (*See, e.g.*, Specification, p. 6, l. 24 - p. 7, l. 27.)

Alternatively, rather than storing a plurality of manufacturers' codes, the controller may be used to store a particular manufacturer's code received via a program signal. Subsequently, during operation of the TPM system, the controller controls the transmitter to transmit wireless signals according to the signal format indicated by the particular manufacturers' code received. In either embodiment, rather than being specially configured to operate in a particular TPM system, the tire monitor is universal. That is, the tire monitor has the ability to transmit wireless signals according to any signal format, and can therefore be programmed to operate in any TPM system. (*See, e.g.*, Specification, p. 7, l. 28 - p. 8, l. 14.)

As set forth in independent claim 19, the tire monitor comprises a sensor for sensing tire pressure and a transmitter for transmitting a series of wireless signals including data representing the sensed tire pressure. The monitor also comprises a storage device for storing a plurality of codes, each code comprising at least a data format. Each of the series of wireless tire pressure signals is transmitted according to a different one of the stored plurality of codes.

In that regard, as described in the specification in connection with Figure 3, the controller may store a plurality of manufacturers' codes and, during operation of the TPM system, controls the transmitter to transmit a series of wireless signals. Each one of the series of wireless signals is transmitted according to the signal format indicated by a different one of the plurality of manufacturers' codes. In such a fashion, a wireless signal is transmitted by the transmitter for every type of TPM system. A control module on-board the vehicle, including a receiver, recognizes one of the series of wireless signals from the transmitter. Once again, rather than being specially configured to operate in a particular TPM system, the tire monitor is universal. That is, the tire monitor transmit wireless signals according to a plurality of signal formats for every type of TPM system, and therefore operates in all TPM systems. (*See, e.g.*, Specification, p. 9, l. 6 - p. 10, l. 5.)

The '930 patent is directed to a transponder and sensor apparatus for transmitting vehicle tire parameter data. Wireless signals transmitted by the apparatus include a tire identification code, which is data that simply identifies a particular tire. Significantly, in contrast to the tire monitor of the Applicants' claimed invention, that code does not identify or represent a format for the transmission of wireless signals, where the format may include characteristics such as carrier frequency, modulation scheme, data format and/or encryption technique. Instead, the '930 apparatus is specially configured to transmit wireless signals according to the specific signal format set forth in its control program. (*See, e.g.*, '930 Patent, col. 5, ll. 20-31.)

Thus, in contrast to independent claim 1, '930 patent fails to teach or suggest a storage device for storing a plurality of codes, each code comprising at least a data format, or a transmitter for transmitting a wireless signal according to one of the stored plurality of codes. Similarly, in contrast to independent claim 19, the '930 patent fails to teach or suggest a storage device for storing a plurality of codes, each code comprising at least a data format, or a transmitter for transmitting a series of wireless signals, each according to a different one of the stored plurality of codes. Still further, in contrast to independent claim 11, the '930 patent fails to teach or suggest a receiver for receiving a program signal, the program signal comprising one of a plurality of codes, each code comprising at least a data format, or a transmitter for transmitting a wireless signal according to the one of the plurality of codes received by the receiver.

As a result, for at least these reasons, the Applicants believe that independent claims 1, 11 and 19 are not anticipated by the '930 patent. Claims 2-10, 12-18 and 20 depend either directly or indirectly from independent claims 1, 11 and 19, respectively, and include the limitations thereof. As a result, for at least the reasons set forth above concerning independent claims 1, 11 and 19, the Applicants believe that claims 2-10, 12-18 and 20 likewise are not anticipated by the '930 patent.

Accordingly, reconsideration of the Examiner's final rejection of claims 21-40 under §102(b) is respectfully requested.

Respectfully submitted,

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Date: June 27, 2006

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